



03-11-04

Express Mail Label No. EV 342400435 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Janssen *et al.*

Serial No.: 10/726,241

Filed: December 2, 2003

Attorney Docket No.: 00-40374-USC

Examiner: TBD

Group Art Unit: 1615

Title: Pediculicidal and Ovacidal Treatment Compositions and Methods for Killing Head Lice and Their Eggs

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references listed in Form PTO-1449 were submitted by the Applicant in prior application Serial No. 09/841,715 filed April 25, 2001 which was claimed for priority under 35 U.S.C. § 120. The Information Disclosure Statement submitted in the earlier application complies with 37 C.F.R. § 1.98(a)-(c). Accordingly, pursuant to 37 C.F.R. § 1.98, copies of the aforementioned documents are not submitted herewith.

It is respectfully requested that these documents be (1) fully considered during the Examination of the application; and (2) printed on any patent that may issue on the application.

While the information cited in this Information Disclosure Statement may be "material" pursuant to 37 C.F.R. § 1.56, the filing of these references should not be construed to be an admission that any patent, publication or other information referred to herein is, or is considered to be, either "prior art" for this invention or otherwise material to the patentability of this invention as defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(b) exists.

It is believed that this Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits in the application and pursuant to 37 C.F.R. §1.97(b)(3).

While it is believed no fee is due in connection with this filing, the Commissioner is hereby authorized to charge any payment of fees or credit any over-payment associated with this application to Deposit Account No. 18-0586.

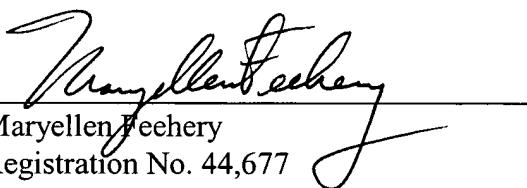
CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.10

EXPRESS MAIL Mailing Label Number: EV 342400435 US
Date of Deposit: March 10, 2004

I hereby certify that this paper and/or fee is being deposited with the United States Postal Service, "EXPRESS MAIL – POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10, on the date indicated above, and is addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

Elaine Weisbecker
(Name of person mailing paper.)
Elaine Weisbecker
(Signature of person mailing paper.)

Respectfully submitted,



Maryellen Feehery
Registration No. 44,677
REED SMITH LLP
2500 One Liberty Place
1650 Market Street
Philadelphia, PA 19103-7301
(215) 241-7988
Attorney for Applicant



SHEET 1 OF 4

SUBSTITUTE FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE		ATTY. DOCKET NO. 00-40374-USC	SERIAL NO. 10/726,241	
INFORMATION DISCLOSURE CITATION						
				APPLICANT: Janssen <i>et al.</i>		
				FILING DATE December 2, 2003	GROUP 1615	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
AA		6,342,482	01/29/2002	Snyder			
AB		5,496,931	03/05/1996	Boeck <i>et al.</i>			
AC		5,539,089	07/23/1996	Broughton <i>et al.</i>			
AD		5,817,608	10/06/1998	Bell			
AE		5,571,901	11/05/1996	Boeck <i>et al.</i>			
AF		5,362,634	11/08/1994	Boeck <i>et al.</i>			
AG		5,670,364	09/23/1997	Mynderse <i>et al.</i>			
AH		5,202,242	04/13/1993	Mynderse <i>et al.</i>			
AI		5,631,155	05/20/1997	Turner <i>et al.</i>			
AJ		5,767,253	06/16/1998	Turner <i>et al.</i>			
AK		5,591,606	01/07/1997	Turner <i>et al.</i>			
AL		5,972,987	10/26/1999	Reid <i>et al.</i>			
AM		6,063,771	05/16/2000	Snyder			
AN		5,712,295	01/27/1998	Mencke <i>et al.</i>			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
BA		01/11964 A1	02/22/2001	WO				
BB		00/60940 A1	10/19/2000	WO				
BC		0 968 706 A2	05/01/2000	Europe				
BD		01/12156 A1	02/22/2001	WO				
BE		0 375 316 A1	06/27/1990	Europe				
BF		00/01347 A2	01/13/2000	WO				
BG		0 607 642 B1	09/27/2000	Europe				

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



SHEET 2 OF 4

SUBSTITUTE FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE		ATTY. DOCKET NO. 00-40374-USC	SERIAL NO. 10/726,241	
INFORMATION DISCLOSURE CITATION				APPLICANT: Janssen <i>et al.</i>		
				FILING DATE December 2, 2003		GROUP 1615

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

CA	Mascarenhas, VJ, et al., Dosage-Mortality Responses of Third Instars of Beet Armyworm (Lepidoptera: Noctuidae) to Selected Insecticides, 15 Journal of Agricultural Entomology (2) Abstract (1998).
CB	Crouse GD, Natural Products As Leads for New Pesticides with Reduced Risks, 215 th American Chemical Society National Meeting, Abstract (1998).
CC	Boyd, MI et al., Susceptibility of Predaceous Hemipteran Species to Selected Insecticides on Soybean in Louisiana, 91 Journal of Economic Entomology (2) Abstract (1998).
CD	Kahn, I. et al., Citrus Thrips (Thysanoptera: Thripidae) Resistance Monitoring in California, 91 Journal of Economic Entomology (2) Abstract (1998).
CE	Mascarenhas, VJ et al., Susceptibility of Field Populations of Beet Armyworm (Lepidoptera: Noctuidae) to Commercial and Experimental Insecticides, 91 Journal of Economic Entomology (4) Abstract (1998).
CF	Anzeveno, PB et al., Rhamnose Replacement Anaglos of Spinosyn A, 216 American Chemical Society (1-3) Abstract (1998).
CG	Salgado, VL, Studies on the Mode of Action of Spinosad: Insect Symptoms and Physiological Correlates, 60 Pesticide Biochemistry and Physiology (2) Abstract (1998).
CH	Salgado, VL, et al., Studies on the Mode of Action of Spinosad: the Internal Effective Concentration and the Concentration Dependence of Neural Excitation, 60 Pesticide Biochemistry and Physiology (2) Abstract (1998).
CI	Marty, MS, et al., The Maternal and Developmental Toxicity of Spinosad in Sprague-Dawley Rats and New Zealand White Rabbits, 57 Teratology (4-5) Abstract (1998).
CJ	Creemer, LC et al., Conversion of Spinosyn A and Spinosyn D to Their Respective 9-and 17-Pseudoaglycones and Their Aglycones, 51/8 Journal of Antibiotics (Japan) Abstract (1998).
CK	Paquette, LA, Total Synthesis of Spinosyn A. 1. Enantioselective Constructions of a Key Tricyclic Intermediate by a Multiple Configurational Inversion Scheme, 120/11 Journal of the American Chemical Society, Abstract (1998).
CL	Paquette, LA, Total Synthesis of Spinosyn A. 2. Degradation Studies Involving the Pure Factor and its Complete Reconstitution, 120/11 Journal of the American Chemical Society Abstract (1998).
CM	Environmental Protection Agency 40 CFR Part 180 (OPP-300644; FRL-5785-7); Chemical Business Newsbase (Federal Register) Summary, April 21, 1998.
CN	Crouse, GD et al., Naturally Derived Materials as Products and Leads for Insect Control: The Spinosyns, Pesticides and the Future: Minimizing Exposure of Humans and the Environment, Reviews in Toxicology (2) Abstract (1998).
CO	Coscolla, R, et al., Essai sur l'efficacité du "Spinosad" dans la lutte contre la tortueuse de la grappe (Lobesia botrana), IOBC WPRS Bulletin, 1998, Vol. 21, Number 2, Abstract.
CP	Spinosad; Pesticide Tolerance, Fed. Registr. 63 (157), 43629-4367 Abstract (1998).

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



SHEET 3 OF 4

SUBSTITUTE FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE		ATTY. DOCKET NO. 00-40374-USC		SERIAL NO. 10/726,241	
INFORMATION DISCLOSURE CITATION				APPLICANT: Janssen <i>et al.</i>			
				FILING DATE December 2, 2003		GROUP 1615	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

CQ	Crouse, GD, et al., Naturally Derived Materials as Products and Leads for Insect Control: the Spinosyns, Rev. Toxicol. (2) Abstract (1998).
CR	Racke, KD, Pesticides for Turfgrass Pest Management: Uses and Environmental Issues, Book of Abstracts, 216 th ACS National Meeting, Abstract (1998).
CS	Salgado, VL, Studies on the Mode of Action of Spinosad: Insect Symptoms and Physiological Correlates, Pestic, Biochem. Physiol (2). Abstract (1998).
CT	Obando-Rodriguez, A. Et al., Confirm 2F and Tracer as an Useful Alternative for Integrated Pest Management (IMF) Against Bollworm, Tobacco Budworm and Beet Armyworm in Cotton in Nothern Mexico, 2 Proc. – Beltwide Cotton Conf. Abstract (1998).
CU	Roberts, P., BT Cotton: Impact of Supplemental Sprays, 2 Proc. – Beltwide Cotton Conf. Abstract (1998).
CV	Peterson, IG, The Ovicidal Activity of Tracer Naturalyte Insecticide Against Heliothine Species in Conventional Cotton, 2 Proc. – Beltwide Cotton Conf. Abstract (1998).
CW	Herbert, DA, Evaluation of Thrips Damage on Maturity and Yield of Virginia Cotton, 2 Proc. – Beltwide Cotton Conf. Abstract (1998).
CX	Duffie, WD et al., Predator Mortality in Cotton From Different Insecticide Classes, 2 Proc. – Beltwide Cotton Conf. Abstract (1998).
CY	Trial with Biological Materials to Control Chaetanaphothrips Orchidii in Biological Citrus Orchard – Ga'aton 1997, 52 Alon Hanotea, Abstract (1998).
CZ	Secher, B.J.M., Adjusting Dosages According to Canopy Densities – a New Concept for Dosing Fungicides and Insecticides 15 th Danish Plant Protection Conferences. Pest and Diseases, 3 DJF Rapport, pp. 145-150, Abstract (1998).
DA	Kirst, H.A., Fermentation-Derived Compounds as a Source of New Products, 70 Pure and Applied Chemistry Abstract (1998).
DB	New Products (pesticides) (3 tables), Chemical Business Newsbase (Informatore Fitopatologico) Abstract October 13, 1998.
DC	Several Pesticide Petitions filed, Chemical Business Newsbase (Federal Register) Abstract October 12, 1998.
DD	Notice of Filling of Pesticide Petitions, Chemical Business Newsbase (Federal Register), Abstract September 23, 1998.
DE	EPA Issues Exemptions for Inert Ingredient Source, Fungicide; Time-Limited Tolerance for Spinosad, Tolerances for Triasulfuron Issued, Chemical Business Newsbase (Pesticide and Toxic Chemical News), Abstract September 11, 1998.
DF	EPA Issues Tolerance Exemption, Proposes Time-Limited Tolerance, Chemical Business Newsbase (Pesticide and Toxic Chemical News), Abstract August 21, 1998.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



SUBSTITUTE FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE		ATTY. DOCKET NO. 00-40374-USC	SERIAL NO. 10/726,241	
INFORMATION DISCLOSURE CITATION						
				APPLICANT: Janssen <i>et al.</i>		
				FILING DATE December 2, 2003	GROUP 1615	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO

OTHER DOCUMENTS (*Including Author, Title, Date, Pertinent Pages, Etc.*)

	DG	Spinosad: Pesticide Tolerance, Chemical Business Newsbase (Federal Register), Abstract August 18, 1998.
	DH	Spinosad: Time-Limited Pesticide Tolerance, Chemical Business Newsbase (Federal Register), Abstract August 4, 1998.
	DI	Strategic Diagnostics Inc. and Dow AgroSciences Immunoassay Method for Spinosad is First EPA Method Suitable for Tolerance Enforcement, 8:22 Business Wire, Abstract May 28, 1998.
	DJ	Natural Organisms Provide Leads for Developing New Pesticides, Chemical Business Newsbase (Pesticide and Toxic Chemical News), Abstract May 12, 1998.
	DK	Pacheco, JL, A Five Year Review of Lygus Efficacy and Cotton Yield Studies in Central Arizona, 2 Proc. Beltwide Cotton Conf. Abstract (1998).
	DL	Environmental Protection Agency, Spinosad; Pesticide Tolerances, Fed. Registr. 63 (72), 18329-18338 Abstract (1998).
	DM	Yee, W.L., et al., Laboratory Evaluations of Synthetic and Natural Insecticides on Beet Armyworm (Lepidoptera: Noctuidae) Damage and Survival on Lettuce, 91 J. Econ. Entomol. (1) Abstract (1998).
	DN	A Modern Scourge Parents Scratch Their Heads Over Lice, Consumer Reports, Feb. 1998, 62-63.
	DO	Head Lice, University of Maine Pest Management Lab, http://pmo.umext.maine.edu/factsht/headlice.htm , Nov. 5, 1999.
	DP	Head Lice, Yahoo! Health, http://health.yahoo.com/health/diseases_and_conditions/disease_feed_data/head_lice_ , Nov. 5, 1999.
	DQ	What You Should Know About.....Head Lice in the Child Care Setting, http://www.cdc.gov/pcidod/hip/abc/facts18.htm , Nov. 5, 1999.
	DR	International Cosmetic Ingredient Dictionary and Handbook, 8 th ed., 2000, vol. 2, p. 1727, 1752-1755, 1757-1759, 1764-1765, 1768-1782, 1789-1804, 1808 and 1810-1812.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.